

PROCEEDINGS OF THE BROWN COUNTY BOARD OF SUPERVISORS
DECEMBER 17, 2003

Pursuant to Section 19.84 and 59.14, Wis. Stats., notice is hereby given to the public that the REGULAR meeting of the **BROWN COUNTY BOARD OF SUPERVISORS** was held on **Wednesday, December 17, 2003, at 7:00 p.m.**, at City Hall, 100 N. Jefferson Street, Green Bay, Wisconsin.

The following matters will be considered at the regular monthly meeting:

Call to order.

Invocation.

Pledge of Allegiance to the Flag.

Opening Roll Call:

Present: Antonneau, Graves, Nicholson, Gower, Miller, Haefs, Hansen, Kaye, Zima,
 Evans, Vander Leest, Johnson, Vanden Plas, Marquardt, Kuehn, Collins, Daul,
 Van Deurzen, Fleck, Clancy, Moynihan, Watermolen, Schadewald, Simons, Lund,
 Fewell

Total Present: 26

****Presentation****

David Ward, President

North Star Economics

RE: New Opportunity Study

No. 1 -- Adoption of Agenda.

A motion was made by Supervisor Antonneau and seconded by Supervisor Lund to approve the agenda as revised. Vote taken. Motion carried unanimously with no abstentions.

No. 2 -- Approval of minutes of County Board Meeting of November 12, 2003.

A motion was made by Supervisor Vanden Plas and seconded by Supervisor Nicholson to approve the minutes. Vote taken. Motion carried unanimously with no abstentions.

No. 3 -- Announcements by Supervisors.

Supervisor Clancy announced he was able to watch a portion of the Syble Hopp Christmas Program earlier this evening. He said it would be nice if their program and the County Board didn't occur on the same evening. Supervisor Clancy encouraged the Supervisors to attend the Syble Hopp Christmas Program in the future.

No. 4 -- Communications. None.

No. 5 -- Late Communications.

No. 5a -- From Supervisor Fewell requesting discussion of private companies advertising in County Buildings.

Refer to Executive Committee.

No. 5b -- From Supervisor Graves requesting during Budget Hearings the Brown County Sheriff's Department referred to a chart of locations and responses in 2002; would like further explanation of the following: categories, locations and responses.

Refer to Public Safety Committee.

No. 5c -- From Supervisor Nicholson requesting a presentation by Health Professionals in regard to providing medical services at the Brown County Jail.

Refer to Public Safety Committee.

No. 5d -- From Supervisor Nicholson requesting a review as an alternative; the original structure to operate a House of Corrections instead of a Jail Facility in Brown County.

Refer to Public Safety Committee.

No. 5e -- From Supervisor Schadewald requesting information concerning the amount of state aid received in 2003 and anticipated state aid for 2004. Would like to know if the cost of programs mandated by the state are covered by the amount of state aids provided and if not, what is the amount of shortfall.

Refer to Human Services Committee.

No. 5f -- From Supervisor Schadewald requesting the internal auditor complete an analysis of the Clerk of Courts Office operations.

Refer to Executive Committee.

No. 5g -- From Supervisor Schadewald requesting information concerning the amount of office remodeling and their costs for 2003 and anticipated costs for 2004.

Refer to Administration Committee.

No. 6 -- Appointments by County Executive. None.

No. 7a -- Report by County Executive. None.

No. 7b -- Report by Board Chairman. None.

No. 8 -- Other Reports.

No. 8a -- **TREASURER'S FINANCIAL REPORT FOR THE MONTH OF
SEPTEMBER 2003**

Following is a statement of the County Treasurer of the Cash on Hand and in the General Account of the Brown County Treasurer as of SEPTEMBER 30, 2003:

Associated Bank	\$ 1,036,097.16
Wisconsin Development Fund	0.00
Sweep Account (Repurchase Agreements)	0.00
Deposits in Transit	53,580.89
Emergency Fund	(128,926.19)
Non-sufficient Fund Checks Redeposited	80.00
PBA Sweep Account	(386,216.53)
Deposit Adjustment	0.00
Bank Error(s)	0.00
Total	<u>547,615.33</u>
Less Outstanding Checks	(599,344.68)
Other Reconcilable Items	0.00
Balance Per Cash Book	\$ (24,729.35)

Following is a statement of the County Treasurer of the Working Capital reserves placed in time deposits in the designated public depositories within Brown County for the purpose of investments as of SEPTEMBER 30, 2003:

Year-to-Date Interest Received – Prior Month	1,703,043.46
Interest Received – Current Month	<u>157,456.07</u>
Year-to-Date Interest Received on unrestricted funds	\$ 1,860,499.53
 Working Capital Reserves Invested	 108,513,852.58
Restricted Investments	<u>21,341,259.20</u>
Total funds invested	\$ 129,855,111.78

I, Kerry M. Blaney, Brown County Treasurer, do hereby certify that the above statement of Cash on Hand and in the General Account as of SEPTEMBER 30, 2003 and the statement of Investments for the month of SEPTEMBER have been compared and examined, and found to be correct.

\s\ Kerry M. Blaney
County Treasurer

A motion was made by Supervisor Kuehn and seconded by Supervisor Van Deurzen to approve. Vote taken. Motion carried unanimously with no abstentions.

Approved by: \s\ Carol Kelso, County Executive

Date: 1/5/2004

No. 9 -- Standing Committee Reports.

A motion was made by Supervisor Collins and seconded by Supervisor Fleck **“to adopt Items #9a thru #9g with one vote.”** Voice vote taken. Motion carried to adopt items #9a thru #9g.

Supervisor Haefs abstained from Report #9a, Item #4.

Supervisor Kuehn abstained from Report #9a, Item 1b.

Supervisor Zima abstained from Report #9a, Item #1.

Supervisor Marquardt abstained from Report #9a, Items #5 & 6.

Supervisor Miller requested to be recorded as voting nay on Reports #9a thru #9g.

No. 9a -- REPORT OF ADMINISTRATION COMMITTEE OF DECEMBER 4, 2003

TO THE MEMBERS OF THE BROWN COUNTY
BOARD OF SUPERVISORS

Ladies and Gentlemen:

The ADMINISTRATION COMMITTEE met in regular session on December 4, 2003, and recommends the following motions:

1. Review minutes of:
 - a. Facilities Master Plan Committee (10/8/03).
 - b. Housing Authority (11/17/03).Receive and place on file items a-b.
2. Facilities Master Plan Committee hold second appointment to Facilities Master Plan Committee until December meeting. (Held from previous meeting.) (Appointment of Facilities Management Director, Bill Dowell, as a member of Facilities Master Plan Committee.)
3. Communication from Supervisor Rick Schadewald regarding: Review of two bills, over \$4,000 each, for consulting fees paid by Brown County. (From previous meeting.) Hold until next month.
4. Communication from Supervisor Mary Marquardt regarding: Supervisors who are bargains not burdens to citizens of Brown County. (Referred from November County Board.) Receive and place on file.
5. Facilities Management – Facility Management Reorganization. (Referred to Executive Committee) (Facility Supervisor job description and updated Table of Organization to be distributed at meeting). Approve the elimination of three positions (Assistant Facilities Director, Facility Manager/Jail, Facility Mechanic at Jail) and add three positions (Facility Process & Systems Manager, Facility Planning & Projects Manager, Facility Supervisor) with a net fiscal impact for the 2004 budget year of minus \$296 (based on 2003 wages). Ayes: 4 (Miller, Graves, Hansen, Schadewald); Nays: 1 Marquardt. Motion Carried. See Resolutions, Ordinances December County Board.
6. Facilities Management – Approval of contracts for the replacement of Electrical panels at the Museum and Work Release Center (see attached). Accept low bid of Van Ert Electric for the total labor of \$11,066 and the low bid of Graybar Electric for total equipment at

- \$29,992. Ayes: 4 (Miller, Graves, Hansen, Schadewald); Nays: 1 (Marquardt). Motion Carried.
7. Human Resources – Human Resources Monthly Committee Report (November 2003). Receive and place on file.
 8. Treasurer – Treasurer’s Financial Report for the month of September 2003. Receive and place on file.
 9. Department of Administration – 2003 Budget Transfer Log. Receive and place on file.
 10. Department of Administration – Communication from Supervisor Rob Miller regarding: Request Administration and/or Information Services Department investigate the costs and benefits to changing to a Linux operating system for Brown County government computers. (From previous meeting.) Combined with #11.
 11. Response to Communication from Supervisor Miller regarding: Using Linux as an Operating System for Brown County. Have Jeff Landin & Steve Thomas talk to Executive and get her opinion, as the administrative person for the budget.
 12. Corporation Counsel – Resolution regarding: Disallowance of Claim (Time Warner Cable). Committee Approved. See Resolutions, Ordinances December County Board.
 13. Corporation Counsel – Communication from Supervisor Hansen regarding: Request Mr. Jacques put in writing to the Attorney General your response on why a veto can be done on a committee item. (From previous meeting.) Refer the communication to Executive Committee, with the intention that they look at changes to reports and to review Chapter Two of the County Code.
 14. Corporation Counsel – Communication from Supervisor Rick Schadewald regarding: Request that Corporation Counsel attends the next Administration meeting and explain legal requirements concerning hiring practices. (From October previous meeting.) No action.
 15. Audit of bills. (No action taken.)

Attachment for Item #6

PROJECT: ELECTRIC PANELS AT MUSEUM AND WORK RELEASE CENTER

PROJECT #: 1073

DATE: NOVEMBER 3, 2003

CONTRACTOR	MCC LABOR & MATERIAL	MCC EQUIPMENT	SWITCHGEAR LABOR & MATERIAL	SWITCHGEAR EQUIPMENT	ADD #1	TOTAL LABOR	TOTAL EQUIPMENT	Notes
Suburban Electric	\$2,290.00	NO BID	\$9,890.00	NO BID	X	\$12,180.00	\$0.00	
Northern Electric	\$2,809.00		\$9,461.00	\$20,699.00	X	\$12,270.00	\$20,699.00	1
Van Ert Electric	\$924.00	\$7,820.00	\$10,142.00	\$25,414.00	X	\$11,066.00	\$33,234.00	2
Elmstar Electric	\$6,833.00	\$7,059.00	\$18,130.00	\$22,942.00	X	\$24,963.00	\$30,001.00	
Qwest Electric	\$1,909.00	\$7,059.00	\$10,919.00	\$22,942.00	X	\$12,828.00	\$30,001.00	
Graybar Electric		\$7,050.00		\$22,942.00	X		\$29,992.00	3

Total Cost Without Contingency \$41,058.00
Contingency \$ 4,105.80

TOTAL REQUEST \$45,163.80 4

Notes:

- 1 Equipment Bid did not meet Specifications
- 2 Recommended Installation Contractor
- 3 Recommended Equipment Supplier
- 4 Because of seasonal manufacturing demands, this project can not be completed until January 2004

Approved by: \s\ Carol Kelso, County Executive Date: 1/5/2004

No. 9b -- NO REPORT OF EDUCATION AND RECREATION COMMITTEE.

TO THE MEMBERS OF THE BROWN COUNTY
BOARD OF SUPERVISORS

Ladies and Gentlemen:

The EDUCATION AND RECREATION COMMITTEE did not meet in regular session.

Approved by: \s\ Carol Kelso, County Executive Date: 1/5/2004

No. 9c -- REPORT OF EXECUTIVE COMMITTEE OF DECEMBER 8, 2003

TO THE MEMBERS OF THE BROWN COUNTY
BOARD OF SUPERVISORS

Ladies and Gentlemen:

The EXECUTIVE COMMITTEE met in regular session on December 8, 2003 and recommends the following motions:

1. Review minutes of:
 - a) Legislative Sub Committee (10/28/03 & 11/17/03).
 - b) Diversity Affairs Council (11/4/03).
 - c) Titledown New Patriotism Sub Committee (11/5/03).Receive and place on file.
2. County Executive. (No report.)
3. Legislative Subcommittee report. (No report.)

4. Internal Auditor Report: Extension by one-year of Schenck Auditing Firm. Have Corporation Counsel draft a resolution to extend the contract for one year at a cost of \$69,500. See Resolutions, Ordinances December County Board.
5. Communication from Supervisor Vander Leest regarding: Request to form a labor management council based on the City of Green Bay's model. (Referred from November County Board.) Hold for 30 days and refer to Human Resources for their input.
6. Request by Supervisor Guy Zima that committee reports, unless resolutions are specifically asked for at Committee level, they will not be considered resolutions. (Discussion/request from November County Board.) Hold this until the findings of the joint efforts by the Administration Committee and Legislative Sub Committee.
7. Facility Management Reorganization. (Referred from Administration Committee.) Committee approved. See Resolutions, Ordinances December County Board.
8. Resolution regarding: Authority to Execute a 2003-2004 Labor Agreement with the Brown County Mental Health Center Employees, Local 1901. Table for thirty days so the County Executive and Administration has an opportunity to review the numbers and report back to the committee.
9. **Closed Session:** For the purpose of deliberating whenever competitive or bargaining reasons require a closed session pursuant to Wisconsin State Statute 19.85(1)(e). In the alternative, the Executive Committee is meeting for the purpose of collective bargaining and is not subject to the Wisconsin open meetings law pursuant to 19.82(1) of the Wisconsin State Statutes. (No Closed Session held.)

Approved by: \s\ Carol Kelso, County Executive

Date: 1/5/2004

No. 9c(i) -- REPORT OF "SPECIAL" EXECUTIVE COMMITTEE OF DECEMBER 17, 2003

TO THE MEMBERS OF THE BROWN COUNTY
BOARD OF SUPERVISORS

Ladies and Gentlemen:

The EXECUTIVE COMMITTEE met in "*special*" session on December 17, 2003 and recommends the following motions:

1. Approve position for autism waiver program. Committee approved. See Resolutions, Ordinances December County Board.
2. Human Services Department Change in Table of Organization – Increase Social Worker Position (MHC) from 0.5 FTE to 1.0 FTE. Committee approved. See Resolutions, Ordinances, December County Board.

Approved by: \s\ Carol Kelso, County Executive

Date: 1/5/2004

**No. 9d -- REPORT OF EXECUTIVE COMMITTEE AND DIVERSITY AFFAIRS
COUNCIL OF DECEMBER 10, 2003**

TO THE MEMBERS OF THE BROWN COUNTY
BOARD OF SUPERVISORS

Ladies and Gentlemen:

The EXECUTIVE COMMITTEE met in joint session with DIVERSITY AFFAIRS COUNCIL on December 10, 2003 and recommends the following motions:

1. Discussion of future of Diversity Affairs Council. No action.
2. Discussion of cultural political & economic contributions of community. No action.
3. Discussion of community forum on diversity. No action.
4. Regularly reporting to Executive Committee.

Approved by: _____ \s\ Carol Kelso, County Executive _____ Date: 1/5/2004

No. 9e-- REPORT OF HUMAN SERVICES COMMITTEE NOVEMBER 19, 2003

TO THE MEMBERS OF THE BROWN COUNTY
BOARD OF SUPERVISORS

Ladies and Gentlemen:

The HUMAN SERVICES COMMITTEE met in regular session on November 19, 2003, and recommends the following motions:

1. Review minutes of:
 - a) Veterans' Recognition Subcommittee (10/7/03).
 - b) Human Services Board (10/22/03).
 - c) Handicapped Children's Education Board (10/22/03).
 - d) Aging Resource Center (10/24/03).
 - e) Community Options Program Appeals Committee (10/27/03).
 - f) Community Options Program Planning Committee (10/27/03).Approve items a-f.
2. Veterans' Department – Director's report. Receive and place on file.
3. Communication from Supervisor Miller regarding: Four questions regarding: Contracted services at Brown County psychiatric facility compared to Waukesha County. (Held from previous meeting.) Receive and place on file.

4. Communication from Supervisor Miller regarding: Human Services Department explain why it (or its agents) have failed to sign up persons in group homes for housing allowance (section 8) for the past 27 years. Table for one month.
5. Human Services Department – 2004 Budget as passed by County Board. Receive and place on file.
6. Human Services Department – Request for Budget Transfer (#03-70): Change in any item within Outlay account which requires the transfer of funds from any other major budget category or the transfer of Outlay funds to another major budget category: Design (\$10,000) and carpeting (\$16,000) at Our Place. Approve.
7. Audit of bills. Pay the bills.

Approved by: _____ \s\ Carol Kelso, County Executive _____ Date: 1/5/2004

No. 9e(i) -- REPORT OF “SPECIAL” HUMAN SERVICES COMMITTEE OF DECEMBER 17, 2003

TO THE MEMBERS OF THE BROWN COUNTY
BOARD OF SUPERVISORS

Ladies and Gentlemen:

The HUMAN SERVICES COMMITTEE met in “*special*” session on December 17, 2003, and recommends the following motions:

1. Approve position for autism waiver program. Committee approved. See Resolutions, Ordinances December County Board.
2. Human Services Department Change in Table of Organization – Increased Social Worker Position (MHC) from 0.5 FTE to 1.0 FTE. Committee approved. Ayes: 6 (Fewell, Miller, Collins, Clancy, Fleck, Zima); Nays: 1 (Evans). Motion Carried. See Resolutions, Ordinances December County Board.

Approved by: _____ \s\ Carol Kelso, County Executive _____ Date: 1/5/2004

No. 9f -- REPORT OF PLANNING, DEVELOPMENT AND TRANSPORTATION COMMITTEE AND LAND CONSERVATION SUBCOMMITTEE OF DECEMBER 11, 2003

TO THE MEMBERS OF THE BROWN COUNTY
BOARD OF SUPERVISORS

Ladies and Gentlemen:

The PLANNING, DEVELOPMENT AND TRANSPORTATION COMMITTEE AND LAND CONSERVATION SUBCOMMITTEE met in regular session on December 11, 2003, and recommends the following motions:

Land Conservation Subcommittee

1. Thursday's Note date October 30, 2003. Receive and place on file.
2. LCC Approval of pipeline corridor under CREP Easement for Hunters Park. (Maps will be provided at meeting.) Approve.
3. Schedule related to 50 cents per agriculture acre fee. Receive and place on file.
4. Land and Water Resource Management Plan Update. Receive and place on file.
5. Director's report. (No report.)

Planning, Development and Transportation Committee

1. Review minutes of:
 - a) Planning Commission Board of Directors (10/1/03 & 11/5/03).
Receive and place on file.
2. Register of Deeds/Land Information Office – Ordinance regarding: To Create Section 3.18 of the Brown County Code entitled “Establishing Parcel Identification Number Implementation and Requirements.” Committee approved. Receive and place on file Register of Deeds.
3. Port and Solid Waste – Resolution regarding: Supporting the State of Wisconsin's Financial Commitment to the Soo Lock Replacement Construction Project. Committee supported Resolution. See Resolutions, Ordinances December County Board.
4. Port and Solid Waste – Resolution regarding: Authorizing Funding for Modernization of Lock and Dam Infrastructure on Upper Mississippi & Illinois Rivers' Inland Waterways Transportation System. Committee approved. See Resolutions, Ordinances December County Board.
5. Port and Solid Waste – Update of transfer station in Village of Hobart. Receive and place on file.
6. Port and Solid Waste – Report of Tri-County Waste Agreement. Receive and place on file.
7. Port and Solid Waste – Director's report. Receive and place on file.
8. Planning – Communication from Supervisor Dan Haefs regarding: Request to consider selling excess land located at Mental Health Location. (Referred from November County Board.) To be referred to next Facilities Master Plan Committee. No action.
9. Planning – Discussion regarding: Future use of excess County land at County Farm.
That Brown County recommend the process of selling excess land located at the Mental Health Center location and County Land located at the County's farm and consider the following:
 - a) Receive a certified appraisal on property.
 - b) Analyze and determine the future acreage needs for future acreage needs for future Brown County facilities at the County Farm site.
 - c) Develop a technical work group including Brown County staff of the Planning Department, Department of Administration, Facilities Management, Human Services and staff of the City of Green Bay Planning Department. Additionally, this technical committee could:
 - i) Develop a recommendation for a process to proceed with the sale of any property determined to be in excess of future needs.

- ii) Review the recommended design approach for the County Farm site consistent with recommendations of the City of Green Bay Comprehensive Plan and concepts being promoted through the Brown County Comprehensive Plan process.
- iii) Recommend development standards for the design to be required as a condition and/or requirement of the sale.
- iv) Review the planned unit development standards under the City's Zoning Code.
- v) Consider a development of stringent design approach for this property, thus creating a "model" for development in Brown County.
- vi) Consider and recommend a process to sell the property that would include competitive bids utilizing a Request for Proposals (RFP) process, development agreement, and conditional sale.

Vote taken. Ayes: 4 (Daul, Haefs, Lund, Van Deurzen); Nays: 0; Abstain: 1 (Vanden Plas). Motion carried.

- 10. Planning, Resolution regarding: Authorizing an application for a Wisconsin Community Development Block Grant for Economic Development from the Wisconsin Department of Commerce. Committee approved changes on Resolution. See Resolutions, Ordinances December County Board.
- 11. Zoning – Request to remove an area of wetlands from the Wisconsin Wetland Inventory Map T21NR21E, Town of Morrison, Brown County, received by Brown County Zoning on June 5, 1990. (To be mailed separately by Zoning.) Approve request.
- 12. Highway – Communication from Supervisor Steve Fewell regarding: Plowing Crest Drive (Extension of CTH "B"). Receive and place on file.
- 13. Highway – Communication from Supervisor Steve Fewell regarding: Maintenance and upkeep of Highway 32 ditch line that is between Highway 32 and the Mountain Bay Trail. Receive and place on file.
- 14. Highway – Report on State Highway Maintenance Funding Reductions & Winter Operations. Receive and place on file.
- 15. Highway – Formation of Task Force Committee to study the merger of Brown County Highway and Park Departments. Place this on next agenda for update.
- 16. Highway – Communication from Supervisor Lund regarding: Request County Highway "B" in Suamico to have flashing yellow lights be placed at the edge of the school zone for Suamico Elementary School. Receive and place on file.
- 17. Highway – Commissioner's Report. Receive and place on file.
- 18. Audit of bills. Audit the bills.

Approved by: \s\ Carol Kelso, County Executive

Date: 1/5/2004

No. 9g -- **REPORT OF PUBLIC SAFETY COMMITTEE REPORT OF DECEMBER 3, 2003**

TO THE MEMBERS OF THE BROWN COUNTY
BOARD OF SUPERVISORS

Ladies and Gentlemen:

The PUBLIC SAFETY COMMITTEE met in regular session on December 3, 2003, and recommends the following motions:

1. Review minutes of:
 - a) Emergency Medical Services Council (10/1/03).
Receive and place on file.
2. Appointment of Tim O'Connor to Brown County Local Emergency Planning Committee (LEPC). Approve the appointment.
3. Public Safety Communications – Update regarding: Two receiver towers in De Pere (Chris Knurr). No action.
4. Public Safety Communications – Discussion regarding: Cost effectiveness of combining frequencies in surrounding area. Move forward on discussions with the combination of agencies frequencies.
5. Public Safety Communications – Update on Communications Center. Receive and place on file.
6. District Attorney – Update on RFP for District Attorney process services. No action.
7. Sheriff – Key Factor Report 2003 with Jail Average Daily Population by month and Overtime by expenditures by division/session 2003 – actual through November 25, 2003. No action.
8. Sheriff – Communication from Supervisor Andy Nicholson regarding: Review other services that the Sheriff's department could utilize to try to find savings within the Department. (Referred from November County Board.) No action.
9. Sheriff's Report. (No report.)
10. Sheriff – Resolution regarding: 2004 County-Tribal Law Enforcement Grant. Committee approved. See Resolutions, Ordinances December County Board.
11. Sheriff – Discussion regarding: Drug Task Force funding (Green Bay Police Chief, Craig Van Schyndle).
 - a) That Drug Task Force Officers are a high priority and the committee requests that positions not be cut on the Drug Task Force.
 - b) Refer to Corporation Counsel to get a legal opinion on the committee's interpretation of the \$600,000 that was added to the budget that deferred to the difference between the Sheriff's staffing requests and the County Executive's staffing requests. That the programs that have been added were outside the staffing requirements and that if Corporation Counsel, disagrees with the committee's interpretation of the motions at the County Board budget meeting, the committee will seek a second opinion. Also, Corporation Counsel will

provide opinion within seven days to the committee. Ayes: 3 (Kaye, Zima, Watermolen); Nays: 2 (Nicholson, Gower). Motion Carried.

12. Audit of bills. Pay the bills.
13. **Closed Session:** Contemplated closed session pursuant to Section 19.85(1)(c) Wis. Stats. considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility. (No Closed Session held.)

Approved by: \s\ Carol Kelso, County Executive

Date: 1/5/2004

No. 10 -- Resolutions, Ordinances

No. 10a -- RESOLUTION REGARDING: DISALLOWANCE OF CLAIM (TIME WARNER CABLE)

TO THE HONORABLE CHAIRMAN AND MEMBERS OF THE
BROWN COUNTY BOARD OF SUPERVISORS

Ladies and Gentlemen:

WHEREAS, a Notice of Claim was filed on September 9, 2003, in the Brown County Clerk's Office; and

WHEREAS, said Notice of Claim alleges that Time Warner Cable, sustained damages, and alleges that said damages were caused by Brown County and employees of Brown County; and

WHEREAS, after a review of this matter by the Corporation Counsel's office, said office recommends that the claim be denied.

NOW, THEREFORE, BE IT RESOLVED by the Brown County Board of Supervisors that the claim submitted by Time Warner Cable, be and the same is hereby denied, and no action on this claim may be brought against Brown County or any of its officers, officials, agents or employees after six months from the date of service of this notice.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the claimant, Time Warner Cable, as a notice of disallowance.

Respectfully submitted,
ADMINISTRATION COMMITTEE

A motion was made by Supervisor Gower and seconded by Supervisor Watermolen **"to adopt."** Voice vote taken. Motion carried unanimously with no abstentions.

Approved by: \s\ Carol Kelso, County Executive

Date: 1/5/2004

**No. 10b -- RESOLUTION REGARDING: AUTHORIZING A CONTRACT FOR
EXTERNAL AUDIT SERVICES FOR AUDIT YEAR 2003**

TO THE HONORABLE CHAIRMAN AND MEMBERS OF THE
BROWN COUNTY BOARD OF SUPERVISORS

Ladies and Gentlemen:

WHEREAS, the existing contract for external audit services provided to Brown County will expire on December 31, 2003, and such audit services are requirements mandated by the State of Wisconsin for county governments; and

WHEREAS, the existing contract for external audit services is held and provided by Schenck Government and Not-For-Profit Solutions, Green Bay, Wisconsin, and after review of audit services needs of Brown County by the Internal Auditor, the Director of Administration and the Executive Committee, it is the joint recommendation that the existing contract for audit services be extended for a one year period at a contract purchase of services amount of \$69,500, without the need to seek other contract proposals.

NOW, THEREFORE, BE IT RESOLVED by the Brown County Board of Supervisors that it hereby authorizes the appropriate county officials to execute an additional one year contract for audit services with Schenck Government and Not-For-Profit Solutions of Green Bay, Wisconsin at the contract price of \$69,500 and continuing the other existing terms and conditions of contract.

BE IT FURTHER RESOLVED that the appropriate County Board budget account set forth in the 2004 Adopted Budget Resolution be utilized for the purchase of the external audit services to be provided under the contract.

Respectfully submitted,
EXECUTIVE COMMITTEE

A motion was made by Supervisor Kaye and seconded by Supervisor Kuehn **“to adopt”**. Voice vote taken. Supervisor Marquardt voted nay. Motion carried.

Approved by: \s\ Carol Kelso, County Executive Date: 1/5/2004

**No. 10c -- RESOLUTION REGARDING: FACILITY MANAGEMENT
DEPARTMENT REORGANIZATION/CHANGE IN TABLE OF
ORGANIZATION**

TO THE HONORABLE CHAIRMAN AND MEMBERS OF THE
BROWN COUNTY BOARD OF SUPERVISORS

Ladies and Gentlemen:

WHEREAS, the present Facility Management table of organization includes an Assistant Facility Director, five (5) Facility Managers and one (1) Housekeeping Manager who are responsible for facility functions at Courthouse Square, the Jail and the Mental Health Center, and

WHEREAS, the recent departure of the Assistant Facility Director required a thorough review of Facility Management responsibilities, resources, and reporting structure, and

WHEREAS, the Human Resources Department and the Facility Management Director have completed the study of the current department structure and propose the following position changes and reassignment of necessary duties:

<u>Delete</u>	<u>Pay Grade</u>	<u>Create</u>	<u>Pay Grade</u>
Assistant Facility Director	24	Facility Process & Systems Manager	23
Facility Manager	19	Facility Planning & Projects Manager	22
Facility Mechanic (Vacant)		Facility Supervisor	16

and,

WHEREAS, the Facility Management Director, Administration Committee, and Executive Committee concur with the above proposed reorganization/change in table of organization (see attached) which will result in a net fiscal impact for the 2004 budget year of minus \$296 (based on 2003) wages.

THEREFORE, BE IT RESOLVED by the Brown County Board of Supervisors, that the Facility Management Department reorganization be approved and the table of organization be changed to delete an Assistant Facility Director, Facility Manager/Jail, and Facility Mechanic/Jail and create the positions of Facility Process & Systems Manager, pay grade 23; Facility Planning & Projects Manager, pay grade 22; and Facility Supervisor, pay grade 16 in the classification and compensation plan effective upon passage of this resolution.

Respectfully submitted,
ADMINISTRATION COMMITTEE
EXECUTIVE COMMITTEE

Attachment (table of organization for facilities management) can be reviewed in the Office of the Brown County Clerk.

A motion was made by Supervisor Antonneau and seconded by Supervisor Graves **“to adopt”**. Voice vote taken. Motion carried unanimously with no abstentions.

Approved by: /s/ Carol Kelso, County Executive

Date: 1/5/2004

No. 10c(i) -- **RESOLUTION REGARDING: HUMAN SERVICES DEPARTMENT
CHANGE IN TABLE OF ORGANIZATION – REQUEST FOR
ADDITIONAL POSITIONS TO SUPPORT AUTISM WAIVER
PROGRAM (FULLY FUNDED BY STATE)**

TO THE HONORABLE CHAIRMAN AND MEMBERS OF THE
BROWN COUNTY BOARD OF SUPERVISORS

Ladies and Gentlemen:

WHEREAS, autism services have been provided in Wisconsin as a Medicaid benefit for many years and the federal government has requested the state to apply for a special application of rules, called a waiver, to fund future services, and

WHEREAS, the State has made that application as part of its larger children's waiver plan and autism services under the proposed plan will be open to children with autism and similar conditions and will include an intensive in-home phase followed by a longer term on-going phase, and

WHEREAS, Brown County has recently agreed to participate in the State of Wisconsin's Autism Waiver Program and, in order to participate, the County must provide care coordination/case management oversight and administrative support and recommend the following positions be added to the table of organization (fully funded by the State) with no impact on local levy:

3.0 FTE Social Worker

1.0 FTE Clerk IV

0.6 FTE Terminal Operator

(Total estimated costs for the positions: \$287,189)

and,

WHEREAS, the Human Services Board, Human Services Committee and Executive Committee have reviewed and discussed the program, funding and staffing implications and concur with the above changes in the table of organization.

THEREFORE, BE IT RESOLVED by the Brown County Board of Supervisors, that the Human Services Department table of organization be changed to add 3.0 FTE social workers, 1.0 FTE Clerk IV and 0.6 FTE Terminal Operator, fully funded by the State with no impact on local levy, effective upon passage of this resolution.

Respectfully submitted,
HUMAN SERVICES COMMITTEE
EXECUTIVE COMMITTEE

A motion was made by Supervisor Clancy and seconded by Supervisor Fleck **“to adopt”**. Voice vote taken. Motion carried unanimously with no abstentions.

Approved by: \s\ Carol Kelso, County Executive

Date: 1/5/2004

**No. 10c(ii) -- RESOLUTION REGARDING: HUMAN SERVICES DEPARTMENT
CHANGE IN TABLE OF ORGANIZATION – INCREASED SOCIAL
WORKER POSITION (MHC) FROM 0.5 FTE TO 1.0 FTE**

TO THE HONORABLE CHAIRMAN AND MEMBERS OF THE
BROWN COUNTY BOARD OF SUPERVISORS

Ladies and Gentlemen:

WHEREAS, a 1.0 FTE clinical social worker position at the Mental Health Center was reduced by .5 FTE in the 2004 budget, and

WHEREAS, the responsibilities of this position include facilitation of therapy groups in the psychiatric unit providing a minimum of two groups per day, participation in individual treatment planning, and back up to other staff social workers, and

WHEREAS, the Human Service Department received notice of increased nursing facility rates higher than originally projected in revenue estimates, and this position will be funded by some of the revenue received from that rate increase, and will not have an impact on local levy, and

WHEREAS, the services provided by this position are mandated by the Center for Medicare/Medicaid Services (CMS) regulations; and

WHEREAS, the Human Services Board, Human Services Committee and Executive Committee have reviewed and concur with the above change in the table of organization.

THEREFORE, BE IT RESOLVED by the Brown County Board of Supervisors, that the Human Services Department table of organization be changed to increase a .5 FTE clinical social worker at the Mental Health Center to 1.0 FTE effective January 1, 2004.

Fiscal Note:

Base Pay:	\$25,954
Fringe Benefits:	<u>\$10,825</u>
Total Cost:	\$36,779

Respectfully submitted,
HUMAN SERVICES COMMITTEE
EXECUTIVE COMMITTEE

A motion was made by Supervisor Fewell and seconded by Supervisor Van Deurzen **“to adopt”**.
Voice vote taken. Motion carried unanimously with no abstentions.

Approved by: \s\ Carol Kelso, County Executive

Date: 1/5/2004

No. 10d -- **RESOLUTION REGARDING: AUTHORIZING FUNDING FOR
MODERNIZATION OF LOCK AND DAM INFRASTRUCTURE ON
UPPER MISSISSIPPI & ILLINOIS RIVERS' INLAND WATERWAYS
TRANSPORTATION SYSTEM**

TO THE HONORABLE CHAIRMAN AND MEMBERS OF THE
BROWN COUNTY BOARD OF SUPERVISORS

Ladies and Gentlemen:

WHEREAS, the Wisconsin Commercial Ports Association (WCPA) on September 4, 2003 passed a unanimous motion to formally agree to support efforts to encourage authorization of funding modernization of lock and dam infrastructure on the upper Mississippi and Illinois inland waterways transportation system. Support for the project included passage of a resolution for each State Port's Harbor Commission and a subsequent mailing campaign to state and federal legislators and government agencies, and

WHEREAS, the State of Wisconsin borders or contains over 360 miles of the upper Mississippi River and 11 navigation locks and dams along those borders with 5 locks located on the Wisconsin side of the river; and

WHEREAS, all of Wisconsin's locks and dams are a minimum of 65 years old and only 600 feet long, making them unable to accommodate modern barge tows of 1,200 feet long, nearly tripling locking times and causing lengthy delays and ultimately increasing shipping costs; and

WHEREAS, the use of 1,200-foot locks has been proven nationwide as the best method of improving efficiency, reducing congestion, and modernizing the inland waterways; and

WHEREAS, the construction of the lock and dam system has spurred economic growth and a higher standard of living in the Mississippi and Illinois River basin, and today supplies more than 300,000,000 tons of the nation's cargo, supporting more than 400,000 jobs, including 90,000 in manufacturing; and

WHEREAS, more than 60% of American agricultural exports, including corn, wheat, and soybeans, are shipped down the Mississippi and Illinois Rivers in the way to foreign markets; and

WHEREAS, Wisconsin farmers, producers and consumers rely on efficient transportation to remain competitive in a global economy, and efficiencies in river transport offset higher production costs compared to those incurred by foreign competitors; and

WHEREAS, the upper Mississippi and Illinois Rivers lock and dam system saves our nation more than \$1.5 billion in higher transportation costs each year, and failing to construct 1,200-foot locks will cause farmers to use more expensive alternative modes of transportation, including trucks and trains; and

WHEREAS, according to the U.S. Army Corps of Engineers, congestion along the upper Mississippi and Illinois Rivers is costing Wisconsin and other producers and consumers in the basin \$98,000,000 per year in higher transportation costs; and

WHEREAS, river transportation is the most environmentally friendly form of transporting goods and commodities, creating almost no noise pollution and emitting 35% to 60% fewer pollutants than either trucks or trains, according to the U.S. Environmental Protection Agency; and

WHEREAS, moving away from river transport would add millions of trucks and railcars to our nation's infrastructure, adding air pollution, traffic congestion, and greater wear and tear on highways; and

WHEREAS, backwater lakes created by the lock and dam system provide breeding grounds for migratory waterfowl and fish; and

WHEREAS, the lakes and 500 miles of wildlife refuge also support a \$1 billion dollar per year recreational industry, including hunting, fishing and tourism jobs; and

WHEREAS, upgrading the system of locks and dams on the upper Mississippi and Illinois Rivers will provide 3,000 construction and related jobs over a 15-year to 20-year period; and

WHEREAS, in 1999 the state of Wisconsin shipped 1,100,000 tons of commodities, including grain, coal, chemicals, aggregates, and other products; and

WHEREAS, 3,900,000 tons of commodities, including grain, coal, chemicals, aggregates, and other products, were shipped to, from, and within Wisconsin by barge, representing \$313,000,000 in value; and

WHEREAS, shippers moving by barge in Wisconsin realized a savings of approximately \$40,000,000 compared to other transportation modes; and

WHEREAS, Wisconsin docks shipped products by barge to 6 states and received products from 11 states; and

WHEREAS, there are approximately 20 manufacturing facilities, terminals, and docks on the waterways of Wisconsin, representing thousands of jobs in the state and

WHEREAS, the U.S. Army Corps of Engineers is conducting a collaborative navigation study of the economic and environmental factors to be considered when examining capital improvements to the upper Mississippi River system; and

WHEREAS, the navigation study will release initial results in a summer 2004 report;

NOW, THEREFORE, BE IT RESOLVED by the County Board, that Brown County on behalf of the Port of Green Bay formally recognizes the upper Mississippi River as a river of statewide significance for natural, navigational, and recreational benefits;

BE IT FURTHER RESOLVED that the County Board recognizes the importance of timely modernization of the inland waterway transportation infrastructure to Wisconsin agriculture and industry in this state, the region, and the nation and, pending results of the navigation study, urges Congress to authorize funding to construct 1,200-foot locks on the upper Mississippi and Illinois river system;

BE IT FURTHER RESOLVED, that the County Clerk shall transmit copies of this resolution to the president and secretary of the U.S. Senate, the speaker and clerk of the U.S. House of Representatives, the chair of the Senate Committee on Commerce, Science and Transportation, the chair of the House Committee on Transportation and Infrastructure, and the members of the Congressional delegation from this state.

Respectfully submitted,
BROWN COUNTY HARBOR COMMISSION
AND
PLANNING, DEVELOPMENT AND
TRANSPORTATION COMMITTEE

I, Darlene Marcelle, Clerk of Brown County, Wisconsin, do hereby certify that the foregoing is a correct copy of a Resolution introduced at a County Board Meeting of the Brown County Board of Supervisors on December 17, 2003, adopted by a majority vote, and recorded in the minutes of said meeting.

\s\ Darlene K. Marcelle

Brown County Clerk

A motion was made by Supervisor Watermolen and seconded by Supervisor Kuehn “to adopt”. Voice vote taken. Motion carried unanimously with no abstentions.

Approved by: \s\ Carol Kelso, County Executive

Date: 1/5/2004

No. 10e -- **RESOLUTION REGARDING: AUTHORIZING AN APPLICATION FOR A WISCONSIN COMMUNITY DEVELOPMENT BLOCK GRANT FOR ECONOMIC DEVELOPMENT FROM THE WISCONSIN DEPARTMENT OF COMMERCE**

TO THE HONORABLE CHAIRMAN AND MEMBERS OF THE
BROWN COUNTY BOARD OF SUPERVISORS

Ladies and Gentlemen:

WHEREAS, Brown County participates in the Wisconsin Community Development Block Grant for Economic Development program; and

WHEREAS, Federal monies are available under the Community Development Block Grant program, administered by the State of Wisconsin, Department of Commerce, for the purpose of economic development; and

WHEREAS, after public meeting and due consideration, the Planning, Development and Transportation Committee has recommended that an application be submitted to the State of Wisconsin for the following projects:

Mueller Dairy Farm, LLC. Purchase 250 cows
Loan is for \$125,000 Maintains 5 existing jobs and create 3 new jobs
Approx. \$550,000 in new private investment; and

WHEREAS, it is necessary for the Brown County Board of Supervisors to approve the preparation and filing of an application for the County to receive funds from this program; and

WHEREAS, the Brown County Board of Supervisors has reviewed the need for the proposed project and the benefits to be gained therefrom.

NOW, THEREFORE, BE IT RESOLVED, that the Brown County Board of Supervisors does approve and authorize the preparation and filing of an application for the above-named project; and the County Executive is hereby authorized to sign all necessary documents on behalf of the County; and that authority is hereby granted to the Brown County Planning Department to take the necessary steps to prepare and file the appropriate application for funds under this program in accordance with this resolution.

Respectfully submitted,
PLANNING, DEVELOPMENT AND
TRANSPORTATION COMMITTEE

A motion was made by Supervisor Vanden Plas and seconded by Supervisor Johnson “to adopt”. Voice vote taken. Motion carried unanimously with no abstentions.

Approved by: \s\ Carol Kelso, County Executive Date: 1/5/2004

No. 10f -- **ORDINANCE REGARDING: TO CREATE SECTION 3.28 OF THE BROWN COUNTY CODE ENTITLED “ESTABLISHING PARCEL IDENTIFICATION NUMBER IMPLEMENTATION AND REQUIREMENTS”**

THE BROWN COUNTY BOARD OF SUPERVISORS DOES ORDAIN AS FOLLOWS:

Section 1 - Sec. 3.28 of the Brown County Code entitled “Establishing Parcel Identification Number and Requirements” is hereby created to read as follows:

3.28 ESTABLISHING PARCEL IDENTIFICATION NUMBER IMPLEMENTATION AND REQUIREMENTS. The Register of Deeds shall not accept for recording, any conveyance as defined in Section 806.01(4), Stats.,

of any interest in real estate which does not contain the parcel identification number. If the conveyance is of a newly created parcel for which a parcel identification number has not yet been assigned, reference shall be made to the parcel identification number of the parcel from which the new parcel was created. This ordinance is enacted pursuant to the authority granted by sec. 59.43(7) of the Wisconsin Statutes (2001).

Section 2 - This ordinance shall become effective on March 1, 2004 and upon passage and publication.

Respectfully submitted,
PLANNING, DEVELOPMENT AND
TRANSPORTATION COMMITTEE

A motion was made by Supervisor Antonneau and seconded by Supervisor Lund **“to adopt”**. Voice vote taken. Motion carried unanimously with no abstentions.

Approved by: \s\ Carol Kelso, County Executive Date: 1/5/2004

Approved by: \s\ Darlene K. Marcelle, County Clerk Date: 12/23/03

Approved by: \s\ Kenneth J. Simons, Board Chairman Date: 1/6/2004

No. 10g -- RESOLUTION REGARDING: SUPPORTING THE STATE OF WISCONSIN'S FINANCIAL COMMITMENT TO THE SOO LOCK REPLACEMENT CONSTRUCTION PROJECT

TO THE HONORABLE CHAIRMAN AND MEMBERS OF THE
BROWN COUNTY BOARD OF SUPERVISORS

Ladies and Gentlemen:

WHEREAS, the Wisconsin Commercial Ports Association (WCPA) on September 4, 2003 passed a unanimous motion to formally agree to support efforts to encourage the State of Wisconsin's committee of its \$5.8 million dollar share for the Soo Lock replacement project. Support for the project included passage of a resolution for each State Port's Harbor Commission and a subsequent mailing campaign to state and federal legislators and government agencies; and

WHEREAS, the Brown County Harbor Commission on behalf of the Port of Green Bay requests adoption of this resolution in agreement with the WCPA resolution supporting the State of Wisconsin commitment of \$5.8 million share of the Soo Lock replacement project; and

WHEREAS, since 1885 the Soo Locks have provided an indispensable shipping link between Lake Superior and the rest of the Great Lakes St. Lawrence Seaway System; and

WHEREAS, the Soo Locks consist of four separate locks that raise and lower ships by 21 feet, providing the only connection between Lake Superior and Lake Huron, and of the four locks, only one, the "Poe Lock" can accommodate 1,000 ft. shipping vessels; and

WHEREAS, the Water Resources Development Act (WRDA) of 1986 authorized construction of a new large lock that would replace two of the existing smaller antiquated locks and would provide a critical backup to the existing "Poe Lock"; and

WHEREAS, the Great Lakes Commission has been identified as the "lead organization" to develop and maintain a consensus regional position on funding the non-federal share of the Soo Lock project cost, and that estimated construction cost of the replacement lock is \$225 million, of which a non-federal share is \$54.8 million; and

WHEREAS, the WRDA of 1996 and 1999 modified the standard cost sharing arrangement for the proposed replacement lock by: Providing for a larger payback period (50 years) for the non-federal share, by reducing the amount to be cost shared, and by waiving the interest amount of the non-federal share; and

WHEREAS, eight Great Lakes states are sharing in the responsibility of financing the non-federal share, and each state's share is determined from state-based and port-based origin/destination cargo tonnage traveling through the Soo Locks; and

WHEREAS, the Soo Locks are critically important to the vitality to Great Lake shipping as the Great Lakes region's economy depends on waterborne commerce using the Soo Locks; and

WHEREAS, the State of Wisconsin has not formally committed to its share of the Soo Replacement Lock project.

NOW, THEREFORE, BE IT RESOLVED by the Brown County Board of Supervisors that it hereby approves the Brown County Harbor Commission's support, on behalf of the Port of Green Bay, of the Wisconsin Commercial Ports Association's effort to encourage the State of Wisconsin to financially participate in the Soo Replacement Lock project.

Respectfully submitted,
PLANNING, DEVELOPMENT AND
TRANSPORTATION COMMITTEE

A motion was made by Supervisor Lund and seconded by Supervisor Fewell "to adopt". Voice vote taken. Motion carried unanimously with no abstentions.

Approved by: \s\ Carol Kelso, County Executive

Date: 1/5/2004

No. 10h -- RESOLUTION REGARDING: 2004 COUNTY-TRIBAL LAW ENFORCEMENT GRANT

TO THE HONORABLE CHAIRMAN AND MEMBERS OF THE
BROWN COUNTY BOARD OF SUPERVISORS

Ladies and Gentlemen:

WHEREAS, the Wisconsin Department of Justice will make available \$26,721 for a joint County-Tribal Law Enforcement grant to be shared between Brown County and the Oneida Nation; and

WHEREAS, the grant would allow both agencies to work together in a spirit of cooperation and sharing of resources which allow the agencies to address issues in law enforcement and public safety that affect Brown County as a whole and the Native American population and other minority populations; and

WHEREAS, approximately half of the grant funds would be used to purchase law enforcement equipment for the Sheriff's Department, as designated in the 2004 budget; and

WHEREAS, remaining funds would be used for items deemed reasonable and necessary by the Oneida Nation for public safety purposes;

NOW, THEREFORE, BE IT RESOLVED by the Brown County Board of Supervisors that Brown County will continue working cooperatively with the Oneida Nation in the area of public safety and law enforcement and will participate in the 2004 County-Tribal Law Enforcement Grant.

BE IT FURTHER RESOLVED, that the Brown County Sheriff's Department's 2004 budget already reflects the County's portion of grant revenues and expenditures in the amount of \$13,000 representing Brown County's share, negating the need for any additional budget modification.

Respectfully submitted,
PUBLIC SAFETY COMMITTEE

A motion was made by Supervisor Watermolen and seconded by Supervisor Kuehn **"to adopt"**. Voice vote taken. Motion carried unanimously with no abstentions.

Approved by: \s\ Carol Kelso, County Executive Date: 1/5/2004

No. 11 -- Such other matters as authorized by law. None.

No. 12 -- Bills over \$10,000 for period ending December 1, 2003.

A motion was made by Supervisor Lund and seconded by Supervisor Fewell **"to adopt"**. Voice vote taken. Motion carried unanimously with no abstentions.

No. 13 -- Closing Roll Call.

Present: Antonneau, Graves, Nicholson, Gower, Miller, Haefs, Hansen, Kaye, Zima, Evans, Vander Leest, Johnson, Vanden Plas, Marquardt, Kuehn, Collins, Daul, Van Deurzen, Fleck, Clancy, Moynihan, Watermolen, Schadewald, Simons, Lund, Fewell

Total Present: 26

**No. 14 -- ADJOURNMENT TO WEDNESDAY, JANUARY 21, 2004, AT 7:00 P.M.,
LEGISLATIVE ROOM #203, CITY HALL, 100 NORTH JEFFERSON
STREET, GREEN BAY, WISCONSIN.**

A motion was made by Supervisor Kuehn and seconded by Supervisor Gower **“to adjourn to
the above day and time”**. Voice vote taken. Motion carried unanimously with no abstentions.

 \s\ DARLENE K. MARCELLE
Brown County Clerk